

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JASON MCCORD PATTEN,)	No. C 11-2057 LHK (PR)
)	
Plaintiff,)	ORDER GRANTING MOTION TO
)	STAY DISCOVERY; GRANTING
v.)	MOTION FOR EXTENSION OF
)	TIME TO FILE OPPOSITION;
DR. C. STONE, et al.,)	DENYING MOTIONS FOR
)	APPOINTMENT COUNSEL
Defendants.)	
)	(Doc. Nos. 117, 127, 137, 142.)

Plaintiff, a state prisoner proceeding *pro se*, filed a second amended civil rights complaint pursuant to 42 U.S.C. § 1983. (Docket No. 102.) Defendants filed a motion to dismiss for failure to state a claim and for qualified immunity. (Docket No. 134.) Defendants also filed a motion to stay discovery. (Docket No. 137.) Plaintiff filed an opposition to the motion to stay discovery. (Docket No. 144.) In addition to opposing a stay of discovery, Plaintiff also requests an extension of time to file an opposition to Defendants' motion to dismiss. (*Id.*) Plaintiff alleges that he is unable to file an opposition due to Defendants' failure to comply with the Court's order to engage in discovery. (*Id.*) Plaintiff has also filed a motion to compel discovery. (Docket No. 117.)

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1 As a general rule, a district court should stay discovery until the issue of qualified
 2 immunity is resolved. *See Crawford-El v. Britton*, 523 U.S. 574, 598 (1998); *Harlow v.*
 3 *Fitzgerald*, 457 U.S. 800, 818 (1982). Accordingly, Defendants' motion to stay discovery is
 4 hereby **GRANTED**. (Docket No. 137.) Plaintiff's motion to compel discovery is **DENIED**.
 5 (Docket No. 117.)

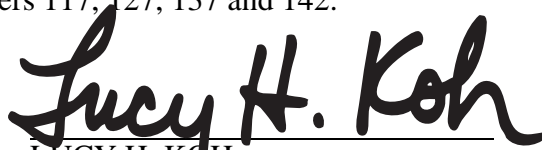
6 In the interest of justice, Plaintiff's request for an extension of time in which to file an
 7 opposition to Defendants' motion to dismiss is **GRANTED**. Plaintiff shall file an opposition to
 8 Defendants' motion to dismiss **within twenty-eight (28) days** of the filing date of this order.
 9 Defendants' shall file a reply **within fourteen (14) days** of the filing date of Plaintiff's
 10 opposition.

11 To the extent that Plaintiff requests the Court to appoint counsel in his motion for Court
 12 appointed expert witness and his motion to inform the Court of Plaintiff's circumstances, the
 13 request is **DENIED** for want of changed circumstances. (Docket Nos. 127 and 142.)

14 This order terminates docket numbers 117, 127, 137 and 142.

15 IT IS SO ORDERED.

16 DATED: 4/9/13


 LUCY H. KOH
 United States District Judge